

### **REMARKS**

Applicants thank the Examiner for the thorough examination of the application. No new matter is believed to be added to the application by this Amendment.

### **Entry Of Amendment**

Entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested because it cancels a claim (claim 5) and places the application in condition for allowance as the allowable subject matter from this cancelled claim is now present in all of the independent claims of the present invention.

### **Status Of The Claims**

Upon entry of this Amendment claims 1, 3, 4, 6-25 and 29 are pending in the application. It is respectfully noted that pending claim 21 was not listed in line 4 of the Office Action Summary and in paragraph 1 of the Office Action. The Examiner has acknowledged the allowability of claims 4-7 and 21 in paragraph 4 of the Office Action. Allowable claim 5 has been cancelled and its subject matter has been incorporated into independent claims 1, 13 and 14. Independent claim 29 already contains the subject matter of allowable claim 5.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 1, 3, 8-20 and 22-25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bernier et al. '571 (U.S. Patent No. 5,834,571). Applicants

respectfully traverse as follows, and reconsideration and withdrawal of this rejection are respectfully requested.

Allowable claim 5 has been cancelled and its subject matter has been incorporated into independent claims 1, 13 and 14. Claim 29 already contains the subject matter of allowable claim 5 (pertaining to operation of the control valve being adjusted by using a control signal obtained from a bed level controller). Claim 5 was free of this rejection over Bernier et al. '571, and the presence of this subject matter in independent claims 1, 13, 14 and 29 renders these claims instantly allowable. Claims depending on any of these independent claims are allowable for at least the above reasons.

This rejection is overcome and withdrawal thereof is respectfully requested.

### **Information Disclosure Statements**

The Examiner is thanked for considering the Information Disclosure Statements filed May 11, 2001 and August 30, 2001 and for making the initialed PTO-1449 forms of record in the application most recently in the Office Action mailed October 29, 2004. The Examiner is thanked for considering the Information Disclosure Statement filed May 13, 2005 and for making the initialed PTO/SB/08 form of record in the application in the Office Action mailed June 1, 2005.

**The Drawings**

The Examiner has found the drawing figures to be acceptable in the Notice of Allowability mailed March 11, 2005.

**Foreign Priority**

The Examiner has acknowledged foreign priority most recently in the Office Action mailed November 3, 2005.

**CONCLUSION**

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner (Reg. No. 42,593) at the telephone number of the undersigned below.

Application No. 09/831,600  
Amendment dated February 3, 2006  
Reply to Office Action of November 3, 2005

Docket No.: 0365-0501P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 3, 2006



Respectfully submitted,

  
By \_\_\_\_\_

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